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September 17, 2008

BY E-FILING, E-MAIL & HAND DELIVERY

DM 3

The Honorable Vincent J. Poppiti
Blank Rome LLP
1201 N. Market Street, Suite 800
Wilmington, DE 19801

Re: *Honeywell International Inc., et al. v. Apple Computer, Inc., et al.*
C.A. Nos. 04-1337-JJF, 04-1338-JJF, 04-1536-JJF, 05-874-JJF

Dear Special Master Poppiti:

To follow-up the discussion during the teleconference yesterday regarding InnoLux, I am enclosing copies of the following documents referred to by Mr. Froio on behalf of Honeywell: Mr. Rovner's October 24, 2006 letter and InnoLux's reply brief on its motion to dismiss for lack of jurisdiction filed by InnoLux on October 6, 2006 (D.I. 598 in C.A. 04-1338). In particular, we direct Your Honor's attention to Footnote 1 on page 1 of Mr. Rovner's October 24 letter, wherein he stated "The issues raised herein do not apply to Defendant Innolux Display Corporation. Because of its pending motion to dismiss, Innolux has not answered the complaint and has not engaged in discovery." Notwithstanding counsel's argument to the contrary, Mr. Rovner specifically copied "All Local Counsel of Record – By ECF" on his letter, to which InnoLux never objected or qualified.

We also refer Your Honor to the first sentence in the first full paragraph on page 13 of InnoLux's reply brief wherein it stated "Because Honeywell failed to set forth grounds on which IDC could be subject to this Court's jurisdiction, there is no reason for Honeywell to undertake any jurisdictional discovery in this case." and to the first full paragraph on page 15 of that brief wherein InnoLux stated, "Because Honeywell has been unable to establish a *prima facie* case of jurisdiction over IDC, even under its alleged jurisdictional facts, Honeywell's request for jurisdictional discovery should be denied."

In light of the foregoing, together with Mr. Froio's arguments during the hearing yesterday, we respectfully suggest that Your Honor "table" for now the issue concerning fact discovery and take it up if, and when, Your Honor determines that this Court has jurisdiction

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over InnoLux. In the event that Your Honor finds that there is jurisdiction, Honeywell believes that there will be ample time to take the necessary infringement and damages discovery regarding InnoLux in advance of either a July 2009 or a November 2009 trial. Accordingly, Honeywell respectfully requests that Your Honor's draft proposed Schedules reflect "TBD" next to the "Substantive Fact Discovery" under the InnoLux sections of the Charts.

Thank you for your consideration and attention in this regard.

Respectfully,

/s/ Thomas C. Grimm

Thomas C. Grimm (#1098)

TCG/dla
Enclosures

cc: Dr. Peter T. Dalleo, Clerk (by hand, w/encls.)
All Counsel of Record (by e-filing and/or e-mail, w/encls.)
(see attached Certificate of Service)

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on September 17, 2008, the foregoing was caused to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered participants.

In addition, the undersigned hereby certifies that true and correct copies of the foregoing were caused to be served via electronic mail on September 17, 2008 upon the following parties:

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